IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

WP(C).No. 7125 of 2007(W)

PETITIONERS:

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1. P. RAVINDRAN PILLAI,
NISHA BHAVAN, MATHRA P.O., KARAVALOOR, KOLLAM.

2. M. LEELAMMA, W/O.P.RAVINDRAN PILLAI,
NISHA BHAVAN, MATHRA P.O., KARAVALOOR, KOLLAM.

BY ADV. SRI.DILEEP P.PILLAI

RESPONDENTS:

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1. SPECIAL SALE OFFICER,
PATHANAPURAM PRIMARY CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD.NO.Q.995, THOLICODE P.O, PUNALUR, KOLLAM.

2. PATHANAPURAM PRIMARY CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD. NO.Q.995, THOLICODE P.O., PUNALUR, KOLLAM.

R1 BY GOVERNMENT PLEADER (SHRI P.K. RAVIKRISHNAN)

R2 BY ADV. SRI.P.SANTHALINGAM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P(C). NO. 7125 OF 2007 W

PETITIONERS' EXHIBITS:

EXT.P1 TRUE COPIES OF RECEIPTS SHOWING THE REPAYMENT OF LOAN (12 NOS.).

EXT.P2 TRUE COPY OF JUDGMENT OF THIS HONOURABLE COURT IN W.P.(C). NO. 24507/05 (P) DATED 2.9.2005.

EXT.P3 SERIES TRUE COPY OF THE MEDICAL REPORTS SHOWING THE HEALTH CONDITION OF THE 2ND PETITIONER.

EXT.P4 TRUE COPY OF REPRESENTATION PREFERRED TO THE CHIEF MINISTER DATED 12.12.2006.

EXT.P5 TRUE COPY OF SALE NOTICE DATED 9.1.2007 ISSUED TO THE FIRST PETITIONER.

RESPONDENTS' EXHIBITS:

EXT.R2(A) TRUE COPY OF THE ORDER IN W.P.(C). NO. 7125/07 DATED 2.3.2007 OF THIS HONOURABLE COURT.

EXT.R2(B) TRUE COPY OF THE JUDGMENT IN W.P.(C). NO. 24507/05 DATED 2.9.2005 OF THIS HONOURABLE COURT.

EXT.R2(C) TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER DATED 21.3.2006.

EXT.R2(D) TRUE COPY OF THE REQUEST SUBMITTED BY PETITIONER DATED 2.8.2006.

EXT.R2(E) TRUE COPY OF THE CIRCULAR NO.55/2006 IN CB(1) 34512/2006 DATED 30.11.2006.

EXT.R2(F) TRUE COPY OF THE STATEMENT OF ACCOUNT.

// TRUE COPY//

PS TO JUDGE

K. M. JOSEPH, J.

W.P.C. NO. 7125 OF 2007 W

Dated this the 8th October, 2007

JUDGMENT

Learned counsel for the petitioners submits that the petitioners may be given one month's time from today to pay off the entire amount due. In such circumstances, the recovery proceedings against the petitioners will be kept in abeyance for a period of one month from today so as to enable the petitioners to clear the amount due from them with interest. Needless to say that if the petitioners do not pay the amount within one month from today, it will be open to the respondent Bank to proceed against them in accordance with law.

The Writ Petition is disposed of as above.

K. M. JOSEPH, JUDGE

kbk.